

# FEDERAL COMMUNICATIONS COMMISSION

---

In Re Applications of: ) MM DOCKET No.: 96-172  
MARIO LOREDO )  
Order to Show Cause Why )  
the License for Station )  
KZQD(FM) in Liberal, )  
Kansas, Should Not be Revoked )

Volume: 2  
Pages: 14 through 67  
Place: Washington, D.C.  
Date: November 14, 1996

FCC-0ALJ R01

EX-20 301 PM '96

*Thomas D. Boudichan*

---

## HERITAGE REPORTING CORPORATION

*Official Reporters*  
1220 L Street, NW, Suite 600  
Washington, D.C.  
(202) 628-4888

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In Re Applications of: ) MM DOCKET No.: 96-172  
 )  
MARIO LOREDO )  
 )  
Order to Show Cause Why )  
the License for Station )  
KZQD(FM) in Liberal, )  
Kansas, Should Not be Revoked )

Courtroom 4  
FCC Building  
2000 L Street, N.W.  
Washington, D.C.

Thursday,  
November 14, 1996

The parties met, pursuant to the notice of the  
Judge, at 9:30 a.m.

BEFORE: HON. RICHARD L. SIPPEL  
Administrative Law Judge

APPEARANCES:

On behalf of Mario Loreda:

GERALD STEVENS-KITTNER, ESQ.  
JODI M. KRAME, ESQ.  
Arter & Hadden  
1800 K Street, Northwest  
Suite 400K  
Washington, D.C. 20006-1301  
(202) 775-7992

APPEARANCES: (Continued)

On Behalf of Mass Media Bureau:

JACQUELINE E. ELLINGTON, ESQ.  
 ROBERT ZAUNER, ESQ.  
 Mass Media Bureau  
 Federal Communications Commission  
 2025 M Street, Northwest  
 Suite 8210  
 Washington, D.C. 20554  
 (202) 418-1430

I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Mario Loredo	24	25	40	59	--

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Loredo's:</u>			
1	21	22	--
2	23	23	--
 <u>Mass Media Bureau's:</u>			
1	19	19	--
2	19	20	--

Hearing Began: 9:30 a.m.

Hearing Ended: 11:10 a.m.

1                                   P R O C E E D I N G S

2                   JUDGE SIPPEL: Good morning. This is our first  
3 day of hearing in the matter of Mario Lored.

4                   Counsel are at their respective tables. Ms.  
5 Ellington, on behalf of the Bureau; is that correct?

6                   MS. ELLINGTON: Yes, Your Honor.

7                   JUDGE SIPPEL: And Mr. Kittner on behalf of Mr.  
8 Lored?

9                   MR. STEVENS-KITTNER: Correct.

10                  JUDGE SIPPEL: And you are being accompanied by  
11 your counsel, Ms. Krame?

12                  MS. KRAMER: Yes.

13                  JUDGE SIPPEL: Am I pronouncing that correctly

14                  MS. KRAMER: You are pronouncing that correctly.

15                  JUDGE SIPPEL: All right. And Mr. Zauner is with  
16 Ms. Ellington this morning.

17                  I have nothing preliminarily. I am prepared to  
18 receive the evidence. The burden is with the Bureau to  
19 proceed and with respect to the burden of proof.

20                  Are there any preliminary matters that anybody  
21 wishes to raise?

22                  (No response.)

23                  JUDGE SIPPEL: Hearing none, then, Ms. Ellington,  
24 you may proceed.

25                  MS. ELLINGTON: Initially, Your Honor, I would

1 like to have marked for identification our exhibits.

2 JUDGE SIPPEL: Okay, does the reporter have  
3 copies?

4 MS. ELLINGTON: Yes, he does.

5 JUDGE SIPPEL: And you have -- these have been  
6 submitted to me in advance, your proposed Exhibits 1 and 2;  
7 is that correct?

8 MS. ELLINGTON: That's correct.

9 JUDGE SIPPEL: All right, you may proceed then,  
10 and please offer them into evidence one at a time, and we  
11 will take any objections and we will rule on them one at a  
12 time.

13 MS. ELLINGTON: First of all, Your Honor, I would  
14 like to have marked for identification Mass Media Bureau  
15 Exhibit 1. It is a 13-page document. It's a FCC Form 314,  
16 Application for Consent to Assignment, filed on behalf of  
17 Alpha Broadcasting and Mario Loredó. On the first page is  
18 date stamped August 24, 1993, and it's stamped original.  
19 And on page 12 -- page 12 bears the signature of Mario  
20 Loredó.

21 JUDGE SIPPEL: Is there any objection to receiving  
22 that?

23 MR. STEVENS-KITTNER: None, Your Honor.

24 JUDGE SIPPEL: Then Bureau Exhibit 1 for  
25 identification, which the reporter shall mark for

1 identification as Exhibit 1, will be received in evidence at  
2 this time as the Bureau's Exhibit 1.

3 (The document referred to was  
4 marked for identification as  
5 Mass Media Bureau Exhibit No.  
6 1, and was received in  
7 evidence.)

8 JUDGE SIPPEL: Your next exhibit?

9 MS. ELLINGTON: I would also like to have marked  
10 for identification Mass Media Bureau Exhibit 2. It is a  
11 six-page document. The first page is a transmittal letter  
12 dated May 4, 1995, to the FCC from Gerald Stevens-Kittner of  
13 Arter & Hadden. It is transmitting an FCC Form 307, which  
14 is an application for extension of broadcast construction  
15 permit, and it was filed on behalf of Mario Loreda, and page  
16 2 bears Mario Loreda's signature.

17 JUDGE SIPPEL: All right, the reporter will  
18 identify that document as described by counsel.

19 (The document referred to was  
20 marked for identification as  
21 Mass Media Bureau Exhibit No.  
22 2.)

23 JUDGE SIPPEL: Does Respondent have any objection  
24 to that?

25 MR. STEVENS-KITTNER: None, Your Honor.

1 JUDGE SIPPEL: Then the Bureau Exhibit 2 for  
2 identification is received in evidence as its Exhibit 2.

3 (The document referred to,  
4 having been previously marked  
5 for identification as Mass  
6 Media Bureau Exhibit No. 2,  
7 and was received in evidence.)

8 JUDGE SIPPEL: And does that conclude your --

9 MS. ELLINGTON: Yes, it does, Your Honor.

10 JUDGE SIPPEL: That concludes your documentary  
11 case.

12 Are there any witnesses that you wish to produce  
13 at this time?

14 MS. ELLINGTON: None on direct.

15 JUDGE SIPPEL: None on direct. All right. But  
16 you would be calling Mr. Loredo but for the fact that he's  
17 going to be proffered as a witness here, I take it?

18 MS. ELLINGTON: That's correct.

19 JUDGE SIPPEL: All right, then, the burden to  
20 proceed has now shifted. Mr. Kittner?

21 MR. STEVENS-KITTNER: Yes. I would like to have  
22 marked as direct case Exhibit 1, Mario Loredo.

23 JUDGE SIPPEL: I have my copy. Thank you.

24 MR. STEVENS-KITTNER: Oh, you do have it.

25 JUDGE SIPPEL: Yes, the reporter should have an

1 original and one.

2 MR. STEVENS-KITTNER: Which is a sworn statement  
3 of Mario Loredo, four pages of testimony, and a declaration,  
4 page 5. And I would like to offer that into evidence.

5 JUDGE SIPPEL: All right, let's first have it  
6 marked for identification. The reporter will mark this  
7 document, and I will refer to them as Loredo Exhibit 1, as  
8 Loredo Exhibit 1 for identification.

9 (The document referred to was  
10 marked for identification as  
11 Loredo Exhibit No. 1.)

12 JUDGE SIPPEL: You have moved it into evidence.

13 Ms. Ellington, is there any objection?

14 MS. ELLINGTON: Yes, Your Honor. We object to one  
15 statement in Exhibit 1. The statement is conclusory and  
16 it's the issue that has to be determined today.

17 JUDGE SIPPEL: Which?

18 MS. ELLINGTON: That is paragraph four, the last  
19 sentence.

20 JUDGE SIPPEL: Paragraph four, last sentence. It  
21 states specifically that "I did not intend to misrepresent  
22 my citizenship on Form 314."

23 Is that the sentence you mean?

24 MS. ELLINGTON: Yes, Your Honor.

25 JUDGE SIPPEL: Mr. Kittner?

1 MR. STEVENS-KITTNER: Mr. Loredo is testifying to  
2 his state of mind, and it's up to Bureau counsel to test his  
3 credibility. It's not a conclusion of law. It's a  
4 statement of fact.

5 JUDGE SIPPEL: All right. I am going to overrule  
6 the objection. It certainly is his testimony with respect  
7 to what his intentions were. It's highly relevant to this  
8 case. Whether I accept that or not is something else again.

9 Is there anything else that you object to?

10 MS. ELLINGTON: No, Your Honor.

11 JUDGE SIPPEL: Then with my ruling, having  
12 overruled the objection, the document which has been now  
13 identified as Loredo Exhibit No. 1 is received in evidence  
14 as Loredo 1.

15 (The document referred to,  
16 having been previously marked  
17 for identification as Loredo  
18 Exhibit No. 1, was received in  
19 evidence.)

20 JUDGE SIPPEL: Your next exhibit, Mr. Kittner?

21 MR. STEVENS-KITTNER: I would like to have  
22 identified as Loredo Exhibit 2 a statement of Gerald  
23 Stevens-Kittner.

24 JUDGE SIPPEL: Okay, how many pages are we talking  
25 about here?

1 MR. STEVENS-KITTNER: Two pages of testimony and a  
2 declaration signed by me. That is page 3.

3 JUDGE SIPPEL: The reporter will so mark that  
4 document as Loredo Exhibit 2.

5 (The document referred to was  
6 marked for identification as  
7 Loredo Exhibit No. 2.)

8 JUDGE SIPPEL: Is there any objection to its  
9 receipt into evidence, Ms. Ellington?

10 MS. ELLINGTON: No, Your Honor.

11 JUDGE SIPPEL: Without objection then, Loredo  
12 Exhibit 2, that which has been identified as Loredo Exhibit  
13 2 is now received in evidence as Loredo 2.

14 (The document referred to,  
15 having been previously marked  
16 for identification as Loredo  
17 Exhibit No. 2, was received in  
18 evidence.)

19 JUDGE SIPPEL: And I take it now that the -- the  
20 next order of business is to proffer the witness?

21 MR. STEVENS-KITTNER: Exactly.

22 JUDGE SIPPEL: Will you come forward, Mr. Loredo,  
23 please?

24 He may bring a statement, a copy of the evidence  
25 with him.

1 MR. STEVENS-KITTNER: Let's go off the record for  
2 just a minute.

3 (Discussion off the record.)

4 JUDGE SIPPEL: Mr. Loredo, would you raise your  
5 right hand, please?

6 Whereupon,

7 MARIO LOREDO

8 having been first duly sworn, was called as a  
9 witness herein and was examined and testified as follows:

10 JUDGE SIPPEL: Please be seated.

11 THE WITNESS: Thank you.

12 JUDGE SIPPEL: Okay, Mr. Kittner.

13 DIRECT EXAMINATION

14 BY MR. STEVENS-KITTNER:

15 Q Mr. Loredo, have you -- you have before you your  
16 statement which has been identified as Loredo Exhibit 1?

17 A Yes.

18 Q Do you have any corrections to that, to your  
19 statement?

20 A No, sir, I don't.

21 Q So you can affirm that it is true and complete and  
22 correct, to the best of your knowledge and belief?

23 A Yes, sir.

24 MR. STEVENS-KITTNER: Okay, with that I will --

25 //

1 BY MR. STEVENS-KITTNER:

2 Q Do you have anything to add to this at this point?

3 A No.

4 JUDGE SIPPEL: I just want to ask that you would  
5 ask the witness to identify himself completely for the  
6 record, his full name and address.

7 MR. STEVENS-KITTNER: I'm sorry. Okay.

8 THE WITNESS: My name is Mario Loreda. I live at  
9 221 East Oak, in Liberal, Kansas.

10 JUDGE SIPPEL: And do you understand English?

11 THE WITNESS: Yes, sir.

12 JUDGE SIPPEL: You have no problem understanding  
13 questions directed to you in English?

14 THE WITNESS: No.

15 JUDGE SIPPEL: All right. I don't see that you  
16 do. I just want to be sure that we are clear before we go  
17 into this.

18 Ms. Ellington, the witness is now available for  
19 cross-examination. You may proceed.

20 CROSS EXAMINATION

21 BY MS. ELLINGTON:

22 Q Good morning, Mr. Loreda.

23 A Good morning.

24 Q Mr. Loreda, how long have you been in the United  
25 States?

1           A     Since about -- I was about nine years old.

2           Q     And do you have a high school diploma?

3           A     I just recently received that about two years ago.

4     I have a GED. I don't have a high school diploma, no.

5           Q     Have you attended any college?

6           A     No, ma'am.

7           Q     Are you currently employed?

8           A     Yes. I do -- I pastor a small congregation church

9     in Liberal, Kansas.

10          Q     So is that your full-time occupation?

11          A     Yes, mainly.

12          Q     Have you ever owned a radio station?

13          A     No, ma'am.

14          Q     You stated earlier that you do read -- that you do  
15     speak English, and you read English now?

16          A     Yes.

17          Q     And at the time the 314, the form 314 was signed  
18     did you read English then?

19          A     Yes.

20          Q     And you can write in English now?

21          A     Yes.

22          Q     And at the time the 314 was signed --

23          A     Yes.

24          Q     -- did you write in English?

25          A     Um-hmm.

1           Q     Mr. Loredo, do you understand the difference  
2     between citizenship and legal residency?

3           A     I do now.

4           Q     What does citizenship mean to you?

5           A     Well, to me is that --

6           Q     The definition of it.

7           A     Well, a person that is born in the United States,  
8     or somebody that's -- decides to become a citizen.

9           Q     And the definition of legal residence, what does  
10    that mean?

11          A     It's somebody that's -- that is here in the States  
12    with a legal residence or permanent residence. That's it.

13          Q     But who is not a citizen?

14          A     Yes, who is not a citizen, okay.

15          Q     And at the time that you signed the Form 314, what  
16    was your understanding of those two terms, or of citizenship  
17    and then legal residence?

18          A     Well, I guess I didn't -- I hadn't paid very much  
19    attention to that.

20                 JUDGE SIPPEL: Well, answer the question. She has  
21    asked you what your understanding was of citizenship and  
22    legal residence back when you signed this in '93. Can you  
23    answer that question?

24                 THE WITNESS: But I don't -- I don't recall what  
25    it was at that time.

1 BY MS. ELLINGTON:

2 Q Mr. Loredo, have you had to ever distinguish  
3 between citizenship and legal residence?

4 A Maybe in sometimes. I don't recall. I guess I  
5 probably have.

6 Q Are there any times that you can think of when you  
7 have had to?

8 A Well, especially like when you fill out a form or  
9 of some sort where they specify like if -- if you have a  
10 legal residence or passport number of some kind.

11 Q In your direct testimony, Exhibit 1, page 3, you  
12 can go to it if you need to, paragraph four.

13 A Um-hmm.

14 Q About mid way down you state that you were used to  
15 completing employment and government-related forms that ask  
16 both whether you were a citizen or a legal resident?

17 A Yes. When there is places where they have a space  
18 or it's specified as to the questions, and they specify what  
19 citizen status is.

20 Q You testified earlier that you weren't sure of the  
21 difference between the two, legal residence and citizenship  
22 at the time the 314 was signed.

23 MR. STEVENS-KITTNER: I think he testified that he  
24 didn't recall what his state of mind was is my recollection  
25 of his testimony.

1 JUDGE SIPPEL: Well, if there is an objection,  
2 there is an objection.

3 MR. STEVENS-KITTNER: I object to the --

4 JUDGE SIPPEL: All right.

5 MR. STEVENS-KITTNER: -- characterization of his  
6 response as to the prior question.

7 JUDGE SIPPEL: I will sustain the objection. Can  
8 you rephrase the question, counsel?

9 MS. ELLINGTON: Okay. I will withdraw that  
10 question.

11 BY MS. ELLINGTON:

12 Q When you testified to completing employment and  
13 government-related forms, when you completed those forms and  
14 they asked you about citizenship or legal residency, what  
15 did you think those forms were asking you then?

16 A Well, just whatever the question was at the time,  
17 if you had to have an I.D. number of the legal residence,  
18 then that's what we would fill in there.

19 Q I want to direct your attention to Mass Media  
20 Bureau Exhibit 1. That's the Form 314, page 4.

21 Do you have that exhibit, that page in front of  
22 you?

23 A Yes.

24 Q At the top it says "Section 2," and then there is  
25 item No. 4, and there is some letters under that. Letter B?

1 A Um-hmm.

2 Q Could you tell us what that says there?

3 A U.S.A.

4 Q No, letter B at the top, above the boxes. I'm  
5 sorry.

6 A Oh, citizenship.

7 Q And in the boxes can you tell us what you  
8 responded to that question?

9 A Well, it is responded U.S.A.

10 Q But you weren't a citizen when you -- when you  
11 responded to that you were here?

12 A No, ma'am.

13 Q Then why did you respond that you were a citizen  
14 if you weren't?

15 A Because I didn't understand. I wasn't aware of  
16 the question here as far as it doesn't ask for another -- it  
17 doesn't ask for other question than citizenship. I thought  
18 that, you know, that's just asking for a legal status. At  
19 that time that's the way I understood that, I was looking  
20 for another question, but there wasn't, just citizenship.

21 Q You testified earlier that you were, when it would  
22 ask for residency, I think you said it would ask for numbers  
23 or legal residence numbers?

24 A That's what I am saying.

25 JUDGE SIPPEL: Let her finish asking the question.

1 THE WITNESS: I'm sorry.

2 BY MS. ELLINGTON:

3 Q But this doesn't ask for any numbers.

4 A That's correct.

5 Q Do you recall reviewing this form before you  
6 signed it?

7 A Well, I've looked at that form, yes. I looked at  
8 it but I didn't review it as far as going into very deep  
9 detail on it. It just I seen it.

10 Q You saw it at the time you signed it?

11 A Yes.

12 Q Did you review any of the questions on the form  
13 before you signed it?

14 A Well, I read some of them, but I don't -- I  
15 probably did. I don't recall exactly every detail on it.

16 Q Do you recall if you found any of these questions  
17 confusing when you reviewed the form?

18 A I don't recall.

19 Q Did you find the specific question about  
20 citizenship confusing?

21 A Well, to a certain extent it's confusing. Like I  
22 said, you know, it was -- I misunderstand the question here,  
23 but I figured this is -- I figured it was correct.

24 Q But at the time you reviewed the 314, you may have  
25 thought that it was correct, but were you confused by any of

1 the questions in the 314?

2 A I think it might have been another one or other.

3 Q Another question that you were confused by?

4 A Maybe. I don't recall. I just think there was  
5 another one, another question here that I -- I can't recall  
6 the number of it.

7 Q Okay.

8 A Which I am saying is that it's --

9 Q Not any that are now confusing to you. If you can  
10 recall at the time you signed the 314 --

11 JUDGE SIPPEL: What was your question?

12 BY MS. ELLINGTON:

13 Q -- can you recall then if you found any of these  
14 questions confusing?

15 A I don't recall. I don't recall at this point.

16 Q On page 3 of your direct testimony.

17 A Um-hmm.

18 Q Paragraph four again. In the next to the last  
19 sentence you stated, "I was confused by the questions and my  
20 incorrect responses were rendered innocently and  
21 inadvertently."

22 A Yes, I did.

23 Q So I would ask you again, were you confused by any  
24 of the questions on the 314 at the time that you signed it?

25 A I am going to say that I was.

1 Q Did you seek any clarification for any of the  
2 questions that you were confused by?

3 A Not at that time.

4 Q Mr. Lored, can you tell me any specific question  
5 in this form that you were confused by, since you have  
6 stated that you were confused at least by some question?

7 A Well, I'm --

8 JUDGE SIPPEL: Take your time. Look the form  
9 over.

10 Let's go off the record while he looks at it.

11 (Pause off the record.)

12 JUDGE SIPPEL: Back on the record.

13 Now, you have looked the form over now? This is  
14 the FCC --

15 THE WITNESS: Yes.

16 JUDGE SIPPEL: -- Form, the Form 314?

17 THE WITNESS: Yes.

18 JUDGE SIPPEL: Have you looked that over?

19 THE WITNESS: Yes, I have.

20 JUDGE SIPPEL: Do you know what the question is?

21 THE WITNESS: Yes, there is -- the question is the  
22 number 13 on page 5.

23 BY MS. ELLINGTON:

24 Q On --

25 A 13(a).

1 Q On which page? I'm sorry.

2 A It's page 5.

3 JUDGE SIPPEL: The bottom right-hand corner, is  
4 that --

5 MR. STEVENS-KITTNER: It says page 5 on the top.

6 THE WITNESS: It says page 5 on the top.

7 MR. STEVENS-KITTNER: You were confused.

8 JUDGE SIPPEL: I see the witness is referring to  
9 page, yes, page 5 at the top, which is the printed number on  
10 Bureau's Exhibit 1. The pagination, for purposes of the  
11 exhibit, is down in the lower right-hand corner, which shows  
12 this to be page 7.

13 THE WITNESS: Okay, down at the bottom here?

14 JUDGE SIPPEL: You have got it right, Mr. Loreda.

15 THE WITNESS: Okay. Okay, it is the -- here on 13  
16 where it says -- these questions as asked here, I was -- I  
17 didn't -- I still don't, you know, didn't understand that.

18 JUDGE SIPPEL: Would you read the question? It's  
19 a short question. Would you read it into the record?

20 THE WITNESS: Okay.

21 JUDGE SIPPEL: What is the question that you are  
22 referring to?

23 THE WITNESS: "Is the applicant in violation of  
24 the provisions of Section 310 of the Communications Act of  
25 1934, as amended, related to interest of aliens for foreign

1 governments? See Instruction C to Section 2."

2 JUDGE SIPPEL: Ms. Ellington.

3 BY MS. ELLINGTON:

4 Q So you are stating now that you were confused by  
5 question 13 at the time you signed the Form 314?

6 A Yes, I -- my understanding that I didn't -- I  
7 didn't understand. I mean, I didn't see anything wrong  
8 there as far as -- as answer no.

9 JUDGE SIPPEL: Well, now, her question is rather,  
10 goes beyond the -- her question is as to 13, and are you  
11 saying -- are you restricting your answer to 13(a), or are  
12 you also referring to this other -- because there is other  
13 sections to question 13?

14 THE WITNESS: No, I'm just saying -- I am -- that  
15 13(a).

16 JUDGE SIPPEL: 13(a)?

17 THE WITNESS: Yes, sir.

18 JUDGE SIPPEL: And your testimony is that you  
19 were, what is your testimony with respect to 13(a)?

20 THE WITNESS: Is that I didn't understand fully  
21 what that question was asking here.

22 BY MS. ELLINGTON:

23 Q At that time, when you signed the Form 314?

24 A Um-hmm.

25 JUDGE SIPPEL: You have to answer yes or no.

1 THE WITNESS: No, I was not -- I was -- yes, I  
2 was, I was confused to that. Yes, I didn't understand that  
3 question correctly.

4 BY MS. ELLINGTON:

5 Q Did you think this question had anything to do  
6 with your citizenship status then?

7 A No, ma'am.

8 Q If you were confused by this question, did you  
9 seek to clarify it in any way?

10 A Not at that time.

11 Q Is that the only question you were confused by?

12 A And this, and this other question that I -- about  
13 the citizenship.

14 Q So you were confused -- are you referring to  
15 Section 2, the question that I asked you about earlier?

16 JUDGE SIPPEL: Wait a minute. Before you move  
17 back here, let me ask you something about this 13(a).

18 What was it exactly that you didn't understand  
19 about question 13(a)? You have read it into the record and  
20 you have had it posed to you. What is it that you don't  
21 understand -- you did not understand about it?

22 THE WITNESS: Well, I -- it says as relating to  
23 interests of aliens and foreign governments. I just --  
24 personally, I guess, it's just I had nothing to do with it.  
25 That's the way I answered for me. You know, I --

1 JUDGE SIPPEL: What did you understand the word  
2 "alien" to mean?

3 THE WITNESS: Maybe a person from another country  
4 or another part of the world.

5 JUDGE SIPPEL: So that would apply to you?

6 THE WITNESS: Well, in my own mind, in my own  
7 understanding, I never did apply it to me since I had been -  
8 - since I was a boy, a young boy here, been here all my  
9 life. I just never thought about that.

10 JUDGE SIPPEL: What about Instruction C? It said  
11 to see -- you read this too. I mean, when you were reading  
12 this into the record, you said you saw this "See Instruction  
13 C to Section 2."

14 Did you have any recollection of having looked at  
15 Instruction C?

16 THE WITNESS: I don't recall, sir.

17 JUDGE SIPPEL: Okay. Do you have anymore  
18 questions now on 13(a) before you move on to questions in  
19 Section 2?

20 MS. ELLINGTON: No, I don't, Your Honor.

21 JUDGE SIPPEL: Okay. You may proceed. I  
22 apologize. I wanted to get while the witness was talking  
23 about one thing, I wanted to get my ideas completed. Go  
24 ahead.

25 //